

Philip C. Backus

7239.3001.001

REMARKS

Reconsideration of this application as amended is respectfully requested.

Drawing replacement sheets have been filed with inked reference numbers of uniform size. The original Drawing sheets have penciled reference numbers without uniform size. The replacement sheets are believed to be identical to the original drawing sheets except for the reference numbers and the lead lines.

Claims 5-8 were rejected as being indefinite, under 35 U.S.C. § 112. The statements concerning the vertical height relative to the height of a bucket to be carried has been canceled.

Claim 1 was rejected as being anticipated by Johnson. Claim 1 has been amended to state that the left and right joints of the left and right bucket bands are permanent and non releasable. This language relates to the joint shown in Figure 3. Claim 1 also includes a left front band and a left rear band that are joined together to form a left bucket band with a frustoconical left bucket receiving passage. Johnson discloses a container carrier that connects a bottle B to a frame F. The holder 10 has two bands each of which encircles the frame F and the bottle B. The frame F is a tube or bar with a uniform diameter from one end to the other as shown in Figure 2. The bottle B is cylindrical as shown in Figure 2. The ends of the tabs 12 and 14 are joined together by Velcro® to encircle the bottle B and the frame F. The tabs 12 and 14 must have their ends separated to encircle the frame F. The tabs 12 and 14 do not form a frustoconical bucket receiving passage when connected together.

Johnson does not show or suggest a carrier as set forth in claim 1 as amended.

Claims 2-4 dependent on claim 1 and are allowable together with claim 1 for reasons set forth above.

Claim 5 was rejected as unpatentable over Johnston. Claim 5 sets forth a

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bucket carrier made from a flat sheet of material as shown in Figure 4. The sheet material is cut with a left arcuate upper edge 32 and a left arcuate lower edge 34. The left side joint connects the free ends 20 and 40 together to form a frustoconical left bucket band and forms a left passage upper diameter that exceeds the left passage lower diameter. The one left bucket band therefore has a frustoconical shape when a conical bucket is inserted into the passage. The bands of Johnson do not have arcuate edges when cut from a sheet as shown in Figure 1. A band does not have an upper diameter that exceeds the lower diameter to fit the conical walls of the bucket to be carried.

Claim 5 clearly distinguishes over Johnson for reasons set forth above and is allowable.

Claim 9 was rejected as unpatentable over Johnson. Claim 9 as amended is directed to a method of making Applicant's bucket carrier. The method includes the steps of wrapping front and rear band portions around a conical surface, overlapping the band free ends and applying a permanent and non releasable adhesive to connect the band free ends together. A purpose of employing the conical surface is to accurately fix the circumference of the band.

Two buckets can carry as much as 45 pounds in Applicant's bucket carrier. With that much weight, the stress in the joint shown in Figure 3 should be evenly distributed from the top of a band to the bottom of a band. To distribute the force evenly, the band should be frustoconical and match the bucket used.

In view of the above, Claim 9 as amended is in condition for allowance.

Claim 10 is original claim 2 rewritten in independent form and is allowable as stated in the Office Action.

Claims 11 and 12 are dependent upon claim 10 and are allowable together with claim 10 for reasons set forth above.

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This application as amended is in condition for allowance as set forth above.

Reconsideration and allowance is therefore respectfully requested.

Respectfully submitted

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By his attorney,

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enclosure